

APPENDIX A

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 24-2023

William Thomas Hill

Petitioner - Appellant

v.

United States of America

Respondent - Appellee

Appeal from U.S. District Court for the Northern District of Iowa - Western
(5:21-cv-04026-LTS)

JUDGMENT

Before GRUENDER, SHEPHERD, and KOBES, Circuit Judges.

This appeal comes before the court on appellant's application for a certificate of appealability. The court has carefully reviewed the original file of the district court, and the application for a certificate of appealability is denied. The appeal is dismissed.

August 08, 2024

Order Entered at the Direction of the Court:
Acting Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Maureen W. Gornik

**UNITED STATES COURT OF APPEALS
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William Thomas Hill

Appellant

v.

United States of America

Appellee

Appeal from U.S. District Court for the Northern District of Iowa - Western
(5:21-cv-04026-LTS)

ORDER

The petition for rehearing en banc is denied. The petition for rehearing by the panel is also denied.

October 03, 2024

Order Entered at the Direction of the Court:
Acting Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Maureen W. Gornik

APPENDIX C

UNITED STATES DISTRICT COURT

for the
Northern District of Iowa

WILLIAM THOMAS HILL,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

Civil Action No. C21-4026-LTS

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the
defendant (*name*) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus post judgment interest at the rate of _____ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____
recover costs from the plaintiff (*name*) _____

☒ other: The motion pursuant to 28 U.S.C. § 2255 is denied as to all claims and this action is dismissed with
prejudice. A certificate of appealability will not issue.

This action was (*check one*):

☐ tried by a jury with Judge _____ presiding, and the jury has
rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision
was reached.

☒ decided by Judge Leonard T. Strand _____ on a motion for
relief pursuant to 28 U.S.C. § 2255.

Date: 4/8/2024

CLERK OF COURT

/s/ mmc, deputy clerk

Signature of Clerk or Deputy Clerk

APPENDIX D

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KELVIN LEE ROSS,
WILLIAM THOMAS HILL, and
SHANE LYNN MONELL,

Defendants.

Nos. 17mj369
CR17-4071

EXCERPT OF
TRANSCRIPT OF
PRELIMINARY EXAM and
DETENTION HEARING

Testimony of
Heather Albrecht

ORIGINAL

The Detention Hearing held before the Honorable Kelly K.E. Mahoney, Chief Magistrate Judge of the United States District Court for the Northern District of Iowa, at the Federal Courthouse, 320 Sixth Street, Sioux City, Iowa, November 14, 2017, commencing at 3:15 p.m.

APPEARANCES

For the Plaintiff: JOHN H. LAMMERS, ESQ.
Assistant United States Attorney
Ho-Chunk Centre - Suite 670
600 Fourth Street
Sioux City, IA 51101

For the Defendant
Ross: STUART J. DORNAN, ESQ.
Dornan, Troia, Howard,
Breitkreutz & Conway
Suite 232
1403 Farnam Street
Omaha, NE 68102

For the Defendant
Hill: JOHN P. GREER, ESQ.
Greer Law Office
13 West Fourth Street
Spencer, IA 51301-0215

For the Defendant
Monell: BRADLEY RYAN HANSEN, ESQ.
Assistant Federal Defender
Suite 400
701 Pierce Street
Sioux City, IA 51101

Also present: Matt Sturdevant, U.S. Probation

Reported by: Shelly Semmler, RMR, CRR
320 Sixth Street
Sioux City, IA 51101
(712) 233-3846

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MR. LAMMERS: Thank you, Your Honor. At this time I would call Officer Heather Albrecht.

THE COURT: If you want to raise your right hand.

HEATHER ALBRECHT, PLAINTIFF'S WITNESS, SWORN

THE COURT: Please have a seat. You can begin.

MR. LAMMERS: Thank you, Your Honor.

DIRECT EXAMINATION

BY MR. LAMMERS:

Q. Would you please state your name and spell your last name.

A. Heather Albrecht, A-l-b-r-e-c-h-t.

Q. Where are you employed?

A. Sioux City Police Department currently assigned to the Tri-State Drug Task Force.

Q. How long have you been a law enforcement officer?

A. Fourteen years.

Q. How long have you been on the task force?

A. Four and a half years.

Q. And do you see the three gentlemen to my right in the orange jumpsuits?

A. Yes.

Q. Do you know who they are?

A. Yes.

1 Q. Would you describe for the Court how you know who
2 they are.

3 A. I came into contact with them through -- during an
4 investigation.

5 Q. All right. Would you briefly describe sort of --
6 give us an overview of the investigation and the events
7 of a couple of days ago that led to their arrest.

8 A. Yes. My office had received complaints from
9 multiple sources of -- or confidential sources advising
10 that Shane Monell was expecting a five-pound load of
11 methamphetamine from California. Agents with my office
12 including myself set up surveillance and followed
13 Mr. Monell, and then that is how we then later came into
14 contact with the other two defendants.

15 Q. All right. So let's break this down a little bit.
16 You say that you followed Mr. Monell from where to where?

17 A. From his residence in Dakota City, Nebraska, to his
18 father's residence at 908 27th Street in Sioux City,
19 Iowa.

20 Q. Okay. And do you know who his father is?

21 A. Yes.

22 Q. Okay. Who's that?

23 A. Greg Monell.

24 Q. Do you know, is he in the courtroom here today?

25 A. That I do not know.

1 Q. Have you ever personally seen him?

2 A. No.

3 Q. Okay. So why did Mr. Monell go to his father's
4 residence if you know?

5 A. I was told later on from another agent that had
6 spoken to Mr. Monell that Mr. Monell had decided to do
7 this at his father's residence because he did not want
8 these subjects to know where he lived.

9 Q. Okay. Let's, I guess, break that down a little bit
10 further. Do what at this residence?

11 A. Transport or bring -- deliver the methamphetamine to
12 him.

13 Q. Okay. So he was supposed to get the methamphetamine
14 that was coming from California.

15 A. Yes.

16 Q. Okay. So you followed Mr. Monell or Mr. Monell was
17 followed by law enforcement to his father's house.

18 A. Yes.

19 Q. What happens next?

20 A. Then a short time later a vehicle arrived that had
21 California plates, and agents observed Mr. Hill exit that
22 vehicle, meet with Monell, and then go into Monell's
23 father's residence.

24 Q. Okay. What happened after that?

25 A. A while after that agents observed Monell leave the

1 residence, and he was stopped by law enforcement and
2 taken into custody.

3 Q. And did he give any statements when he was taken
4 into custody?

5 A. Yes, he did.

6 Q. Would you please describe for the Court what he
7 said.

8 A. He stated that he had a friend named Will from
9 California that was there to deliver him five pounds of
10 methamphetamine and that Will was at his father's
11 residence.

12 Q. And did he describe what the arrangements were going
13 to be for the delivery of the methamphetamine?

14 A. He had stated that he was going to rip off his
15 friend Will of the five pounds of methamphetamine.

16 Q. Okay. Did he explain whether or not he had
17 previously received methamphetamine from his friend Will?

18 A. Yes. Approximately a few weeks prior to this event,
19 he had advised that Hill had delivered a little over a
20 pound of methamphetamine to him here in Sioux City.

21 Q. And did Mr. Monell state whether anyone else was in
22 town with his friend Will?

23 A. Mr. Monell, no, did not state that.

24 Q. Okay. So what happens next after you've spoken to
25 or Mr. Monell is giving information to the task force?

1 A. At that point he was taken down to the Sioux City
2 Police Department. I began preparing a search warrant
3 for Greg Monell's residence as well as Mr. Hill's vehicle
4 that was still parked outside of Mr. Monell's residence.

5 Q. What happened then?

6 A. Just as the search warrant was being signed by Judge
7 Jarman, agents that were still conducting surveillance
8 observed Mr. Hill come out of the residence and go
9 towards the vehicle at which point he was taken into
10 custody.

11 Q. Was there a search done of the vehicle?

12 A. Yes.

13 Q. Were there any narcotics found in the vehicle?

14 A. Marijuana.

15 Q. Okay. What happened then?

16 A. Mr. Hill was taken down to the police station as
17 well.

18 Q. Okay. Did Mr. Hill have any phones on his person?

19 A. Yes, he had two.

20 Q. Okay. And tell us what happened with the phones.

21 A. One of the phones, as agents were approaching
22 Mr. Hill, Mr. Hill had taken a flip phone and tossed it
23 under his vehicle to try to get rid of it.

24 Q. Okay. Then what happened?

25 A. I'm sorry?

1 Q. Then what happened?

2 A. He was taken into custody. He was taken down to the
3 police station. Agents then conducted the search of his
4 vehicle, and while doing so one of the agents had both of
5 the phones in his custody, observed numerous text
6 messages popping up on the phone.

7 Q. What were the text messages?

8 A. The text messages were stating find us another
9 hotel, why aren't you answering your phone, and stating
10 they were going to leave town.

11 Q. Based on those text messages, what was next in the
12 investigation?

13 A. After learning that it appeared there was more
14 individuals in town that were connected to this, agents
15 began searching the hotels in the Sioux City area. Prior
16 to that, though, I did run the phone number that was
17 showing up on Mr. Hill's phone through social media and
18 found that that phone number came back to a Kelvin Ross,
19 Kelvin Ross.

20 Q. What'd you do based on that?

21 A. At that time is when the other agents went and began
22 searching the different hotels to try to locate anybody
23 or any California-plated vehicles or anything that would
24 draw their attention to maybe identify who was here in
25 town with Mr. Hill. And agents located a vehicle at the

1 Town & Country Motel that was registered to Kelvin Ross.

2 Q. What happened next?

3 A. I then prepared a search warrant for the hotel as
4 well as the vehicle after agents had determined that
5 there was a female party that had registered room 33
6 which was where the vehicle registered to Kelvin was
7 parked and that the vehicle information was on that
8 registration as well.

9 Q. Okay. And after you received this -- or prepared
10 the search warrant, did you get it signed?

11 A. Yes, I did.

12 Q. Okay. And then what happened?

13 A. Agents then made contact with the subjects in the
14 hotel room, and those people were taken into custody, and
15 then a search was completed of the room and the vehicle.

16 Q. And was anything found in the vehicle?

17 A. Yes.

18 Q. Would you please describe for the Court what was
19 found.

20 A. Approximately 2.2 pounds of methamphetamine.

21 Q. Is that a kilogram?

22 A. Yes.

23 Q. And was that field tested?

24 A. Yes, it was.

25 Q. And to your knowledge did it test positive for

1 methamphetamine?

2 A. Yes, it did.

3 Q. What happens next in the investigation?

4 A. Everyone from the hotel room was transported down to
5 the police department. Interviews were conducted at that
6 time.

7 Q. Did you determine whether or not Mr. Ross had gang
8 affiliation?

9 A. Yes. During -- during the entry into the room and
10 subjects being taken into custody, one of the agents had
11 asked Mr. Ross what the KC tattoo on his arm stood for,
12 if it was for Kansas City, and Mr. Ross told him no, it
13 was for Los Angeles Crips.

14 Q. And what was next in the course of your
15 investigation of these individuals?

16 A. Could you be more specific? I'm sorry.

17 Q. Sure. Did you ever listen to their phone calls?

18 A. Yes, I've monitored their jail phone calls.

19 Q. All right. Let's talk specifically about
20 Mr. Monell's phone calls. Would you describe what phone
21 calls you've listened to and when?

22 A. I've listened to the jail calls that he has -- I've
23 listened to all the calls that he has had. Appears to be
24 with a Barb Monell and also his girlfriend, Victoria
25 Warner.

APPENDIX E



Can someone read messages on my locked iPhone?

Asked 12 years, 7 months ago Modified 9 years, 6 months ago Viewed 7k times



2



I left my iPhone in a taxi cab. I locked the phone to make sure nobody finds it and makes expensive calls. But does locking the phone prevent someone from seeing the texts I am sending? What if the battery dies? After the phone is recharged, will the texts I send still be readable if the phone is locked?

iphone security battery text

Share Improve this question Follow

edited Jun 3, 2012 at 16:35

asked Jun 2, 2012 at 15:24



bmike ♦

241k 80 433 958



samthebrand

1,233 15 33 51

If your operator disables the old sim card, the old phone shouldn't receive any more your messages. – o0'.
Jun 3, 2012 at 19:13

4 Answers

Sorted by: Highest score (default) ▾



3



Your sending a lock doesn't change the settings you had on the phone prior to losing it.

If messages were showing on the screen - they will still show.

If not, they will not.

If you have find my phone enabled and are concerned about changing this, you could send a remote erase (and then lose all ability to track it again) and have it resort to the default behavior. I'm hesitant to erase my phone now to test, but am fairly certain the default is towards privacy and further messages would not be displayed on the lock screen when the phone reboots or is powered on again.

Share Improve this answer Follow

edited Jun 3, 2012 at 16:35

answered Jun 2, 2012 at 15:45



bmike ♦

241k 80 433 958



1



The messages, which you sent using Find my iPhone will be shown on the lock screen even if your phone is locked.

Share Improve this answer Follow

answered Jun 2, 2012 at 21:58



pre

628

4

17

This question was about text messages being displayed. Your answer is a correct statement, but perhaps better placed on this question that asks the more general case question:

apple.stackexchange.com/questions/52735/... – bmike ♦ Jun 3, 2012 at 15:42

@bmike I think the question is a bit ambiguous as it is also tagged with 'find my iPhone'. I thought he asked about the messages he send with 'find my iPhone'. – pre Jun 3, 2012 at 16:14

You know - I didn't even see that tag. The question doesn't really make any sense with that tag. I'll fix that presently by deleting it. – bmike ♦ Jun 3, 2012 at 16:34



0



If you locked the phone through iCloud / MobileMe it will appear the same as if you enabled the lock on the device itself, plus it will lock immediately (as soon as the action is done) and you'll receive an email notification telling you that it is done. The iPhone will remain locked after it has been shutdown or lost all its charge. So, in theory, it shouldn't give up your messages.

Share Improve this answer Follow

answered Jun 3, 2012 at 16:25



leberwurstsaft

1,255

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14



0



They may not be able to log onto AT&T or unlock your phone to read your texts. However, if they have access to your iPhone, they can listen to your texts! Even under Settings → Notifications with the Show on Lock Screen option off, all someone has to do is ask Siri to read messages *and she will!* So turn off Siri to keep those text private!

Share Improve this answer Follow

edited Jun 7, 2015 at 9:29

answered Jun 7, 2015 at 2:58



grg ♦

206k

45

364

496



WagnerTech

1



iPhone

Apple Intelligence now features Image Playground, Genmoji, Writing Tools enhancements, seamless support for ChatGPT, and visual intelligence.

Apple Intelligence has also begun language expansion with localized English support for Australia, Canada, Ireland, New Zealand, South Africa, and the U.K. [Learn more >](#)

You can make a difference in the Apple Support Community!

When you [sign up with your Apple Account](#), you can provide valuable feedback to other community members by [upvoting helpful replies and User Tips](#).

Newsroom Update

Voice Memos update brings Layered Recordings to iPhone 16 Pro and iPhone 16 Pro Max. [Learn more >](#)

Looks like no one's replied in a while. To start the conversation again, simply [ask a new question](#).



Zechariah777 Author

Level 1 10 points

Using Siri to read messages without unlocking your phone

Hi everyone. I'm using an iPhone Xs on iOS 12.x.x

The issue:

For a while I was having an issue with not being able to use Siri to read my messages. Siri would always prompt me to unlock the phone, even when using the Apple AirPods. This is a problem when driving, or shoveling snow, as during those times I'm not able to look at my Apple Watch.

The Solution (at least for me):

On the phone go to Settings > Notifications > Messages, then under Options find Show Preview.

Most likely that option is set to When Unlocked (Default) or Never. Change it to Always. Lock your phone, then say "Hey Siri, read me my messages," to test.

Please note that this will also make messages so they can appear on the lock screen and ANYONE can read them. However you should be able to have Siri read your messages to you hands free again.

The reason I am posting this:

this was a great source of frustration for me when driving or shoveling snow or any other time when I have heavy winter gloves and a jacket on.

During my research of the issue, I found a post on the Apple forum with no solution. The question was posted in regards to a quadriplegic and the difficulty of unlocking their phone to read messages. (Disregarding for a moment how the post came to be) That post was closed without the issue being resolved. My hope is that either that person or someone who knows them will see this post, and that it will resolve the issue.

Posted on Feb 26, 2019 6:51 PM

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A forum where Apple customers help each other with their products. Get started with your Apple Account.

[Learn more >](#) [Sign up >](#)



How can I have turn off safety check? How can I have siri read out incoming messages when...

I have an iPhoneXR running ios16.0 and I drive a commercial vehicle. When I receive an incoming message and ask siri to read it out to me (remembering I am not allowed to handle the phone at this time) siri says I need to unlock my...

2 years ago 1592 2

Siri-Read Messages require unlocking

I have the settings in Siri to read when locked and accessibility set with all on also. Still I can't get messages read unless I unlock my phone. This is not safe - I need a resolution.

5 years ago 2104 6

"Hey Siri, read text" requires me to unlock my cell phone

I just upgraded to a new iPhone 12. It is running the same IOS as my previous phone, 15.5. What I use Siri most for is reading my text messages to me while I am driving. But now it says I need to unlock my phone first. I can't! I'm driving!...

2 years ago 2426 3

There are no replies.

This site contains user submitted content, comments and opinions and is for informational purposes only. Apple may provide or recommend responses as a possible solution based on the information provided; every potential issue may involve several factors not detailed in the conversations captured in an electronic forum and Apple can therefore provide no guarantee as to the efficacy of any proposed solutions on the community forums. Apple disclaims any and all liability for the acts, omissions and conduct of any third parties in connection with or related to your use of the site. All postings and use of the content on this site are subject to the [Apple Support Community Terms of Use](#). [See how your data is managed...](#)

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United States

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